

REMARKS

This Application has been carefully reviewed in light of the Final Action mailed November 15, 2006. Claims 58-114 are pending in this Application. In order to advance prosecution of this Application, Claims 58 and 100 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 58 and 89 stand objected to for the use of the word 'operable' in these claims. The Examiner asserts that the word 'operable' is indecisive and indefinite. However, the Examiner fails to give any reasoning to support this assertion. The use of the word 'operable' is used to particularly describe the operation and functionality of the elements in the claimed system. Therefore, the use of the word 'operable' is decisive and definite.

Claims 58 and 100 stand objected to for various informalities. Claims 58 and 100 have been amended to address the informalities identified by the Examiner.

Claims 58, 72, 89, 100, and 11 stand objected to for including the term 'common bus' that is not supported by the specification or drawings. The specification at page 22, lines 24-29, clearly states that telecommunication information is communicated over a TDM bus 114 among telecommunication interface modules 104, echo cancellation modules 106, compression modules 108, and packetization modules 110. Thus, there is a common bus (TDM bus 114) that communicates telecommunication information. The other buses mentioned by the Examiner transport data packets to a network interface module 112 (data packet bus 118) and control information to various elements of the gateway 18 (control bus 120). Therefore, with respect to telecommunication information as provided in the claimed invention, the 'common bus' is fully supported by the claims and drawings.

Claims 58, 72, 89, 100, and 111 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 4, 5, 7, 9, 10, 13, 15, and 18 of U.S. Patent No. 6,526,046. Attached herewith is a Terminal Disclaimer to overcome this rejection.

Claims 58-65, 67, 72-79, 81, 89-95, and 99-106 stand rejected under 35 U.S.C. §102(e) as being anticipated by Focsaneanu, et al. Independent Claims 58, 72, 89, and 100 recite in general an ability to transport telecommunication information or data packets associated with a plurality of subscribers over a common bus prior to or after packetization. By contrast, the Focsaneanu, et al. patent provides separate line interface cards for each subscriber. As a result, the Focsaneanu, et al. patent does not allow for telecommunication information or data packets to be transported over a common bus prior to or after packetization as required by the claimed invention. The Examiner identifies a portion of the Focsaneanu, et al. patent that mentions a common bus. However, that portion of the Focsaneanu, et al. patent refers to the use of common bus protocols between the access module and the various service providers. Though common bus protocols may be used, the Focsaneanu, et al. patent never transports first and second telecommunication information of different subscribers over a common bus as required in the claimed invention. Therefore, Applicant respectfully submits that Claims 58-65, 67, 72-79, 81, 89-95, and 99-106 are not anticipated by the Focsaneanu, et al. patent.

Claims 66, 69, 70, 80, 83, 84, 97, 108, and 110 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Focsaneanu, et al. in view of Pounds, et al. and further in view of Bist, et al. Independent Claims 58, 72, 89, and 100 have been shown above to be patentably distinct from the Focsaneanu, et al. patent. Moreover, the Pounds, et al. and

Bist, et al. patents do not include any additional disclosure combinable with the Focsaneanu, et al. patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 66, 69, 70, 80, 83, 84, 97, and 110 are patentably distinct from the proposed Focsaneanu, et al. - Pounds, et al. - Bist, et al. combination.

Claims 68, 82, 86, 111, and 112 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Focsaneanu, et al. in view of Lor. Independent Claims 58 and 72 have been shown above to be patentably distinct from the Focsaneanu, et al. patent. In addition, Independent Claim 111 includes similar limitations shown above to be distinguishable from the Focsaneanu, et al. patent. Moreover, the Lor patent does not include any additional disclosure combinable with the Focsaneanu, et al. patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 68, 82, 86, 111, and 112 are patentably distinct from the proposed Focsaneanu, et al. - Lor combination.

Claims 71, 85, 96, 98, 107, and 109 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Focsaneanu, et al. in view of Roposh. Independent Claims 58, 72, and 89 have been shown above to be patentably distinct from the Focsaneanu, et al. patent. Moreover, the Roposh patent does not include any additional disclosure combinable with the Focsaneanu, et al. patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 71, 85, and 98 are patentably distinct from the proposed Focsaneanu, et al. - Roposh combination.

Claims 87, 88, 113, and 114 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Focsaneanu, et al.

in view of Lor. Independent Claims 72 and 111 have been shown above to be patentably distinct from the Focsaneanu, et al. patent. Moreover, the Lor patent does not include any additional disclosure combinable with the Focsaneanu, et al. patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 87, 88, 113, and 114 are patentably distinct from the proposed Focsaneanu, et al. - Lor combination.

This Response to Examiner's Final Action is necessary to address various informalities and characterization of the cited art raised by the Examiner in support of the claim rejections. This Response to Examiner's Final Action could not have been presented earlier as the Examiner has only now raised the informalities and only now provided the current characterization of the cited art in supporting the rejections to the claims.

CONCLUSION

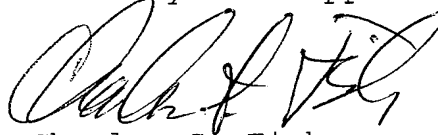
Applicants have made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'Charles S. Fish', is written over the printed name.

Charles S. Fish

Reg. No. 35,870

January 16, 2007

CORRESPONDENCE ADDRESS:

2001 Ross Avenue, Suite 600

Dallas, TX 75201-2980

(214) 953-6507

Customer Number: 05073